



Mack H Shumate, Jr
Senior General Attorney, Law Department

June 18, 2008



VIA UPS OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
395 E Street, Room 1149
Washington, DC 20024

Attention: Victoria Rutson

**RE: Docket No. AB-33 (Sub-No. 258X), Union Pacific Railroad Company -
Abandonment Exemption - In Shelby County, Tennessee (Memphis
Subdivision)**

Dear Ms Rutson.

Enclosed for filing in the above-referenced docket are the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C F R §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C F.R. §1105.11.

Union Pacific anticipates filing a Notice of Exemption in this matter on or after July 9, 2008.

Sincerely yours,

ENTERED
Office of Proceedings

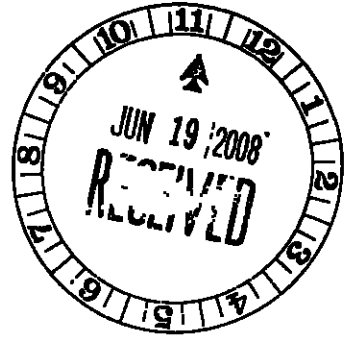
JUN 19 2008

Part of
Public Record

Enclosures

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BEFORE THE
SURFACE TRANSPORTATION BOARD



Docket No. AB-33 (Sub-No. 258X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SHELBY COUNTY, TENNESSEE
(MEMPHIS SUBDIVISION)

222638

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

Dated. June 18, 2008
Filed. June 19, 2008

ENTERED
Office of Proceedings

JUN 19 2008

Part of
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BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No 258X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SHELBY COUNTY, TENNESSEE
(MEMPHIS SUBDIVISION)
)

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C F R. § 1105.8(d), respectively, for an exempt abandonment and discontinuance of service over the Memphis Subdivision from Milepost 387 0 to Milepost 389.61, a distance of 2.61 miles in Shelby County, Tennessee (the "Line") The Line traverses U S Postal Service Zip Code 38107 and 38108. The UP anticipates that a Notice of Exemption to abandon the Line will be filed at the STB on or after July 9, 2008.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made a part hereof UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and is hereby made a part hereof. Responses received thus far to UP's letter are attached hereto and sequentially referenced as attachments in the appropriate sections of this Combined Environmental and Historic Report

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) Proposed action and alternatives Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves the exempt abandonment and discontinuance of service over the Memphis Subdivision from Milepost 387.0 to Milepost 389.61, a distance of 2.61 miles in Shelby County, Tennessee.

The abandonment of the Line will have no adverse effect on shippers. There has been no local business for at least two years. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of complainant during that period. There is no new industry location foreseen that could produce rail traffic sufficient to justify rehabilitation of the Line and cover ongoing operational expense. There is no overhead traffic. After abandonment, UP will continue to provide rail service on either end of the Line either through direct service or through existing joint facility operating agreements with other railroads. Amtrak, BNSF, CN, CSXT, and NS also serve the Memphis area.

The Line was constructed at an unknown date by the Union Railway of Memphis and acquired by Missouri Pacific Railroad in 1966. The Line is laid with 90-pound jointed rail. The Line does not contain any federally granted rights-of-way and does not contain any reversionary property.

UP does not believe the property is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission or recreation. The area is located in North Memphis, which is an older established urban area with varying property usage. North of the right-of-way, the area is primarily a commercial and/or industrial use area. South of the right-of-way is an older residential area. The highest and best use of this property would be to dispose of UP interests through adjacent property owners. Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

A map of the Line is attached as **Attachment No. 1**.

(2) Transportation system. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Because no traffic moves over the Line and no traffic is expected to move in the future, there should be no effect on regional or local transportation systems or patterns, and there will be no diversion to other modes or systems.

(3) Land use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U S Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response:

(i) The Shelby County Commissioners Office has been contacted. To date UP has not received a response.

(ii) The United States Natural Resources Conservation Service has been contacted. The Farmland Conversion Impact Rating indicated the site of the proposed abandonment does not contain prime, unique, statewide or local important farmland. The NRCS response is attached as **Attachment No. 3**, and is hereby made part hereof.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines at the present time.

(4) Energy

- (i) Describe the effect of the proposed action on transportation of energy resources.
- (ii) Describe the effect of the proposed action on recyclable commodities.
- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.
- (iv) If the proposed action will cause diversions from rail to motor carriage of more than.
 - (A) 1,000 rail carloads a year, or
 - (B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response:

- (i) There will be no effects on the transportation of energy resources.
- (ii) There are no recyclable commodities handled over the Line.
- (iii) There will be no effect on energy efficiency
- (iv)(A)(B) There will be no rail-to-motor diversion.

(5) Air

(I) If the proposed action will result in either

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply

Response: There are no such effects anticipated.

(ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic

of these magnitudes as a result of the proposed action

(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify. the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise.

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

- (i) an incremental increase in noise levels of three decibels Ldn or more or
- (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed

Response: Not applicable.

(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service, whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions), the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response:

(i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials

(iii) There are no known hazardous material waste sites or sites where known

hazardous material spills have occurred on or along the subject right-of-way

(8) Biological resources.

(i) Based on consultation with the U S Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response:

(i) The U. S. Fish and Wildlife Service has been contacted. Upon review the U. S. Fish and Wildlife Service determined that federally listed or proposed endangered or threatened species do not occur within the impact area of the project. The U. S. Fish and Wildlife Service's response is attached as **Attachment No. 4, and is hereby made part hereof.**

(ii) UP is not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed abandonment.

(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies

(ii) Based on consultation with the U S Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response:

(i) The Tennessee Department of Environment and Conservation has been contacted and responded that an Aquatic Resource Alteration Permit (ARAP) will be needed if there are any alterations to waters of the state, and coverage under Tennessee's General NPDES Permit for Discharges of Storm Water Associated with Construction Activities (CGP) will be needed for any land disturbances of one acre or more. UP does

not anticipate either such permit will be required in conjunction with the proposed abandonment. The Department of Environment and Conservation's response is attached as **Attachment No. 5**, and is hereby made part hereof.

(ii) The U.S. Army Corps of Engineers has been contacted and has determined that no wetlands or other waters of the United States is being impacted by the proposed project, and a permit is not required. The Corps of Engineers' response is attached as **Attachment No. 6**, and is hereby made a part hereof.

(iii) It is not anticipated there will be any requirements for Section 402 permits.

(10) Proposed Mitigation.

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1**, indicating that there are no structures 50 years old or older that are part of the proposed action

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.

Response: The right-of-way proposed for abandonment is approximately 100 feet in width. Topography is flat.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area

Response: See Attachment No. 1, indicating that there are no structures 50 years old or older that are part of the proposed action.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response: See Attachment No. 1, indicating that there are no structures 50 years old or older that are part of the proposed action.

(5) A brief narrative history of carner operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action

Response: See the preceding pages for a brief history and description of carner operations

(6) A brief summary of documents in the carner's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: Not applicable

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: At this time, UP knows of no historic sites or structures or archeological resources on the Line or in the project area. UP believes that there is nothing in the scope of the project that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction and maintenance of the Line.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain'

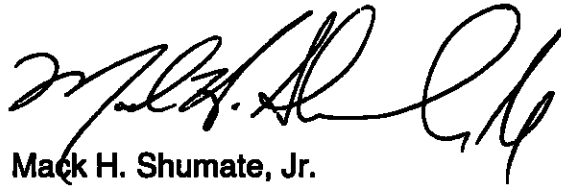
Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American)'

Response: Not applicable

Dated this 18th day of June, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mack H. Shumate, Jr.', with a stylized flourish at the end.

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

CERTIFICATE OF SERVICE
OF THE
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No 258X) for the Memphis Subdivision in Shelby County, Tennessee was served by first class mail on the 18th day of June, 2008 on the following.

State Clearinghouse (or alternate):

Robert Pack
Department of Transportation
Office of Freight & Rail
Suite 1800 James K Polk Bldg
Nashville, TN 37243

State Environmental Protection Agency:

Department of Environment & Conservation
401 Church Street, 1st Floor
L & C Annex
Nashville, TN 37243-0435

State Coastal Zone Management Agency

(if applicable):

Not applicable

Head of County (Planning):

Shelby County Commissioners
160 N Main, Suite 850
County Courthouse
Memphis, TN 38103-1866

Environmental Protection Agency

(regional office):

U S Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

U.S. Fish and Wildlife:

U S Fish & Wildlife Service
Southeast Region 4
U S Fish & Wildlife Service
1875 Century Blvd , Suite 400
Atlanta, GA 30345

U.S. Army Corps of Engineers:

U S Army Engineer District Memphis
167 North Main Street
Memphis, TN 38002

National Park Service:

National Park Service - Southeast Region
100 Alabama St , SW
Atlanta, GA 30303

U S Natural Resources Conservation Service:

Tennessee NRCS
State Conservationist
675 U S Courthouse
801 Broadway
Nashville, TN 37203

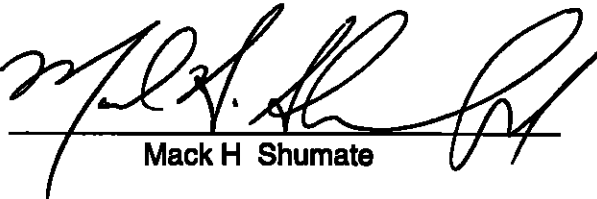
National Geodetic Survey:

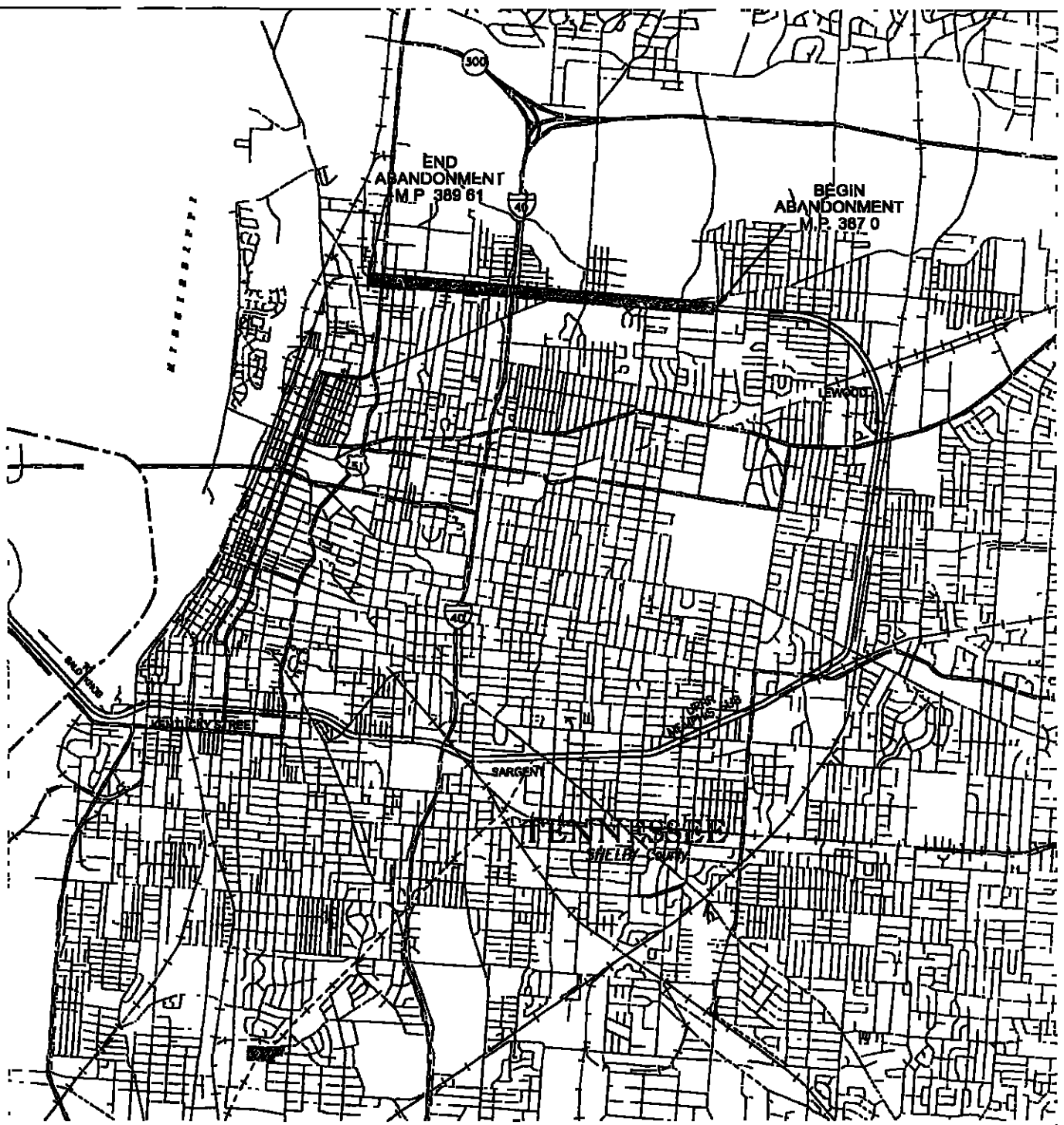
National Geodetic Survey
Edward J McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Ms Betsy Child
State Historic Preservation Officer
Department of Environment and Conservation
2941 Lebanon Road
Nashville, Tennessee 37243-0442

Dated this 18th day of June, 2008


Mack H Shumate



NOTE THERE ARE NO 50+ YEAR OLD STRUCTURES
IN THE ABANDONMENT SEGMENT

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS

MEMPHIS SUBDIVISION

MP 387.0 TO MP 389.61
TOTAL OF 2.61 MILES
2.61 MILES IN SHELBY COUNTY

UNION PACIFIC RAILROAD CO
MEMPHIS SUBDIVISION
TENNESSEE

INCLUDING 50+YEAR OLD STRUCTURES

SCALE MILES

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DATE: 10-Aug 07 13:18

AB-33(Sub-No. 258X)



Law Department

(402) 501 0127 (FAX)

September 12, 2007

State Clearinghouse (or alternate):

Robert Pack
 Department of Transportation
 Office of Freight & Rail
 Suite 1800 James K Polk Bldg
 Nashville, TN 37243

State Environmental Protection Agency:

Department of Environment & Conservation
 401 Church Street, 1st Floor
 L & C Annex
 Nashville, TN 37243-0435

**State Coastal Zone Management Agency
(if applicable):**

Not applicable

Head of County (Planning):

Shelby County Commissioners
 160 N Main, Suite 850
 County Courthouse
 Memphis, TN 38103-1866

**Environmental Protection Agency
(regional office):**

U S Environmental Protection Agency
 Region 4
 Sam Nunn Atlanta Federal Center
 61 Forsyth Street, SW
 Atlanta, GA 30303-8960

U.S. Fish and Wildlife:

U S Fish & Wildlife Service
 Southeast Region 4
 U S Fish & Wildlife Service
 1875 Century Blvd , Suite 400
 Atlanta, GA 30345

U.S. Army Corps of Engineers:

U S Army Engineer District Memphis
 167 North Main Street
 Memphis, TN 38002

National Park Service:

National Park Service - Southeast Region
 100 Alabama St , SW
 Atlanta, GA 30303

U.S. Natural Resources Conservation Service:

Tennessee NRCS
 State Conservationist
 675 U S. Courthouse
 801 Broadway
 Nashville, TN 37203

National Geodetic Survey:

National Geodetic Survey
 Edward J McKay, Chief
 Spatial Reference System Division
 NOAA N/NGS2
 1315 E-W Highway
 Silver Spring, MD 20910-3282

State Historic Preservation Office:

Ms Betsy Child
 State Historic Preservation Officer
 Department of Environment and Conservation
 2941 Lebanon Road
 Nashville, Tennessee 37243-0442

Re Proposed Abandonment of the Memphis Subdivision from M. P 387 0 to M. P.
 389 61, a distance of 2.61 miles in Memphis, Shelby County, Tennessee, STB Docket No
 Docket No. AB-33 (Sub-No. 258X)

Dear Sirs

Union Pacific Railroad Company (UP) plans to request authority from the Surface Transportation Board (STB) to abandon the Memphis Subdivision from M P 387 0 to M. P. 389 61, a distance of 2.61 miles in Shelby County, Tennessee. A map of the proposed track abandonment shown in black is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F.R. Part 1105.7, this is to again request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

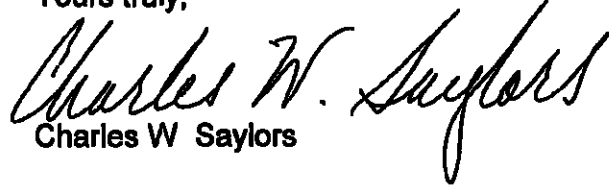
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS State (1) whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

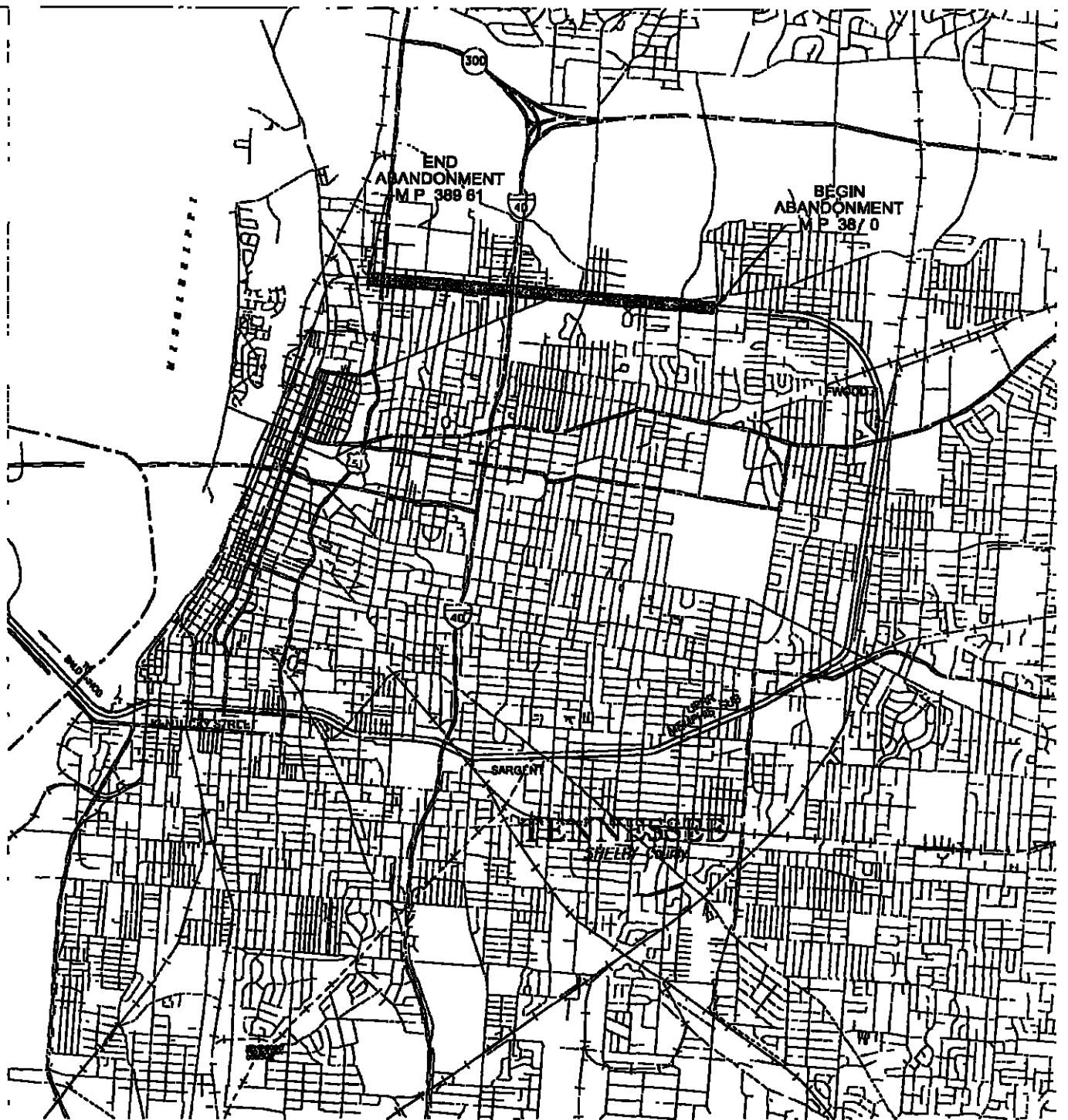
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY) (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179 If you need further information, please contact me at (402) 544-4861.

Yours truly,








Charles W Saylor

Attachment



NOTE THERE ARE NO 50+ YEAR OLD STRUCTURES
IN THE ABANDONMENT SEGMENT

LEGEND

-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  RAILROADS (abandoned)
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

MEMPHIS SUBDIVISION

MP 387.0 TO MP 389.61

TOTAL OF 2.61 MILES

2.61 MILES IN SHELBY COUNTY

UNION PACIFIC RAILROAD CO
MEMPHIS SUBDIVISION
TENNESSEE

INCLUDING 50+YEAR OLD STRUCTURES

SCALE  MILES

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DATE 10-Aug 07 13 18

United States Department of Agriculture



Natural Resources Conservation Service
235 Oil Well Road
Jackson, Tennessee 38305

Date: October 1, 2007

Chuck Saylor
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, NE 68179

Re: Proposed Abandonment of the Memphis Subdivision from M. P. 387.0 to M. P. 389.61, a distance of 2.61 miles in Memphis, Shelby County, Tennessee. STB Docket No. AB-33 (Sub-No 258X)

Mr Saylor:

Enclosed is the completed AD-1006, Farmland Conversion Impact Rating for the above-mentioned project. This project will not have a negative impact on prime farmland.

If you have any additional questions, please contact me at (731) 668-0700.

A handwritten signature in cursive script, appearing to read "Charles L. Davis".

Charles L. Davis
Resource Soil Scientist

Helping People Help the Land

An Equal Opportunity Provider and Employer

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of I and Evaluation Request <u>9/12/07</u>			
Name Of Project <u>UNION PACIFIC RR CO., ABANDONMENT OF MEMPHIS SUB.</u>		Federal Agency Involved <u>SURFACE TRANSPORTATION BOARD (STB)</u>			
Proposed Land Use <u>ABANDONMENT OF RAIL ROAD USE</u>		County And State <u>SHELBY CO., TENN.</u>			
PART II (To be completed by NRCS)		Date Request Received By NRCS <u>9/21/07</u>			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres	Amount Of Farmland As Defined In FPPA Acres		Date Land Evaluation Returned By NRCS <u>10/01/2007</u>	
Name Of Land Evaluation System Used	Name Of Local Site Assessment System				
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A Total Acres To Be Converted Directly					
B Total Acres To Be Converted Indirectly					
C Total Acres In Site		00	00	00	00
PART IV (To be completed by NRCS) - Land Evaluation Information					
A Total Acres Prime And Unique Farmland					
B Total Acres Statewide And Local Important Farmland					
C Percentage Of Farmland In County Or Local Govt. Unit To Be Converted					
D Percentage Of Farmland In Govt. Jurisdiction With Some Or Higher Relative Value					
PART V (To be completed by NRCS) - Land Evaluation Criterion					
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		0	0	0	0
PART VI (To be completed by Federal Agency)		Maximum Points			
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))					
1 Area In Nonurban Use					
2 Perimeter In Nonurban Use					
3 Percent Of Site Being Farmed					
4 Protection Provided By State And Local Government					
5 Distance From Urban Builtup Area					
6 Distance To Urban Support Services					
7 Size Of Present Farm Unit Compared To Average					
8 Creation Of Nonfarmable Farmland					
9 Availability Of Farm Support Services					
10 On-Farm Investments					
11 Effects Of Conversion On Farm Support Services					
12 Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS		160	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)		160	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	0	0	0
Site Selected	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Reason For Selection					



United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

November 7, 2007

Mr. Charles Saylor
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179

Subject: Proposed railway abandonment, Memphis Subdivision from M.P. 387.0 to M.P. 389.61, Shelby County, Tennessee.

Dear Mr. Saylor:

Fish and Wildlife Service (Service) biologists have reviewed your September 12, 2007, description of the proposed project. The railway section of proposed abandonment would involve 2.61 miles of track. Based on our understanding of typical railway abandonment situations, tracks, ties, and associated materials would likely be removed from the site. We anticipate that a degree of soil disturbance will occur in areas of the project, but that the railroad bed generally will remain intact. Please consider the following comments during further development of the project plans.

Because of the potential for impacts to Cypress Creek, we recommend that several measures be implemented where the disturbance of earth or other activities may affect aquatic resources. Stream substrate (i.e., composition and bottom elevations) should be altered to the least extent possible. We recommend that tree removal along streambanks be minimized to help maintain water temperature, bank stability, and other existing stream characteristics. Sediment transport is a key concern. Therefore, sediment control structures (e.g., silt fences) should be used appropriately, soil disturbance in the vicinity of the crossings should be limited to the driest season in order to minimize erosion, and revegetation should be accomplished as early as possible. Adequate implementation of these conditions should result in an acceptable level of aquatic impacts.

Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitats and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. Based on the best information available at this time, we

believe that potential endangered species concerns have been adequately coordinated. Species concerns should be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

We appreciate this opportunity to provide input. Please contact David Pelren of my staff at 931/528-6481 (ext. 204) if you have questions about our comments.

Sincerely,

Mary P. Jennings

for

Lee A. Barclay, Ph.D.
Field Supervisor



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
WATER POLLUTION CONTROL
401 CHURCH STREET
6TH FLOOR L&C ANNEX
NASHVILLE, TN 37243

October 16, 2007

Mr. Charles W. Saylor
Union Pacific Railroad
1400 Douglas Street
STOP 1580
Omaha, Nebraska 68179-1580

**SUBJECT: Union Pacific Railroad, Shelby County
Proposed Abandonment of the Memphis Subdivision from M.P. 387.0 to
M.P.389.61**

Dear Mr. Saylor:

Thank you for your recent request for preliminary information on the above referenced proposed project in Shelby County, Tennessee, relative to any potential environmental impacts or concerns the Division of Water Pollution Control (Division) may have.

The Division's general concerns about construction projects such as the one proposed include, but are not limited to:

- Identification and assessment of all water resources must be made prior to construction
- All appropriate permits must be obtained prior to commencement of construction
- Impacts to water resources, including wetlands should be avoided when possible
- Appropriate mitigation must be undertaken for unavoidable impacts
- Appropriate erosion prevention and sediment control measures must be installed and maintained

An Aquatic Resource Alteration Permit (ARAP) will be needed if there are any alterations to waters of the state, and coverage under Tennessee's *General NPDES Permit for Discharges of Storm Water Associated with Construction Activities* (CGP) will be needed for any land disturbance of one acre or more.

Please understand that there may be other regulatory programs applicable to this project that are administered by other divisions of the Department of Environment and Conservation. The applicant is responsible to determine all regulatory programs that are applicable to this project. This letter is

Page 2 of 2
October 16, 2007

Intended to give information on this Division's regulatory role in the process and to provide guidance on possible impacts to waters of the state. It is not a complete evaluation of all potential environmental impacts that this project could have on the affected watersheds. A complete evaluation of the proposed project will be done when detailed plans and permit applications are submitted to the Division.

If you have any questions regarding these comments, please contact Terry Templeton at (901) 368-7959.

Sincerely,

A handwritten signature in black ink, appearing to read "Regan McGahen" with a stylized flourish at the end.

Regan McGahen
Environmental Specialist
Division of Water Pollution Control

cc: File
Mary Parkman, TDEC - Office of General Counsel
Terry Templeton, Water Pollution Control, Memphis EFO



**DEPARTMENT OF THE ARMY
MEMPHIS DISTRICT, CORPS OF ENGINEERS
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894**

REPLY TO

September 26, 2007

Operations Division
Regulatory Branch

Mr. Chuck Saylors
1400 Douglas Street
Mail Stop 1580
Omaha, NE 68179

Dear Mr. Saylors:

This is in reference to your recent request to abandon the Memphis Subdivision from M.P. 387.0 to M.P. 389.61, a distance of 2.61 miles in Memphis, Shelby County, Tennessee as shown on the attached map. Based on the information you provided as well as other information available to us, our approved jurisdictional determination (JD) is that there are no wetlands or other waters of the United States being impacted by the project. Therefore, no Corps of Engineers permit is involved with the project. You may accept or appeal this JD or provide new information. The JD form is posted on our web page at <http://www.mvm.usace.army.mil/regulatory/JD/AJD.htm>. If you object to this determination, please contact us for information on administrative appeals.

This determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date, or unless the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

A customer service survey is available on our website at www.mvm.usace.army.mil/regulatory/customer_survey.htm. Results from this survey are used to help us determine areas in which we need to improve. Please feel free to print a copy and return it to us. Your comments, positive or negative, will not affect any current or future dealing with the Corps of Engineers.

If you have questions, please contact Josh Bright at (901) 544-0926 and refer to File No. MVM-2007-506.

Sincerely,

A handwritten signature in black ink that reads "Larry D. Watson".

Larry D. Watson
Chief
Regulatory Branch

Attachment



NOTE THERE ARE NO 50+ YEAR OLD STRUCTURES
IN THE ABANDONMENT SEGMENT

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS

MEMPHIS SUBDIVISION

MP 387.0 TO MP 389.61

TOTAL OF 2.61 MILES

2.61 MILES IN SHELBY COUNTY

UNION PACIFIC RAILROAD CO
MEMPHIS SUBDIVISION
TENNESSEE

INCLUDING 50+YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonments\ab33_258_Memphis.v8.dgn

DATE: 10-Aug-01 13:18